

1 Jeffrey H. Howard (*pro hac vice*)
2 Jerome A. Murphy (*pro hac vice*)
CROWELL & MORING LLP
3 1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
4 Telephone: 202-624-2500
Facsimile: 202-628-5116
5 Email: jhoward@crowell.com
jmurphy@crowell.com

6 Jason C. Murray (CA Bar No. 169806)
7 Joshua C. Stokes (CA Bar No. 220214)
CROWELL & MORING LLP
515 South Flower St., 40th Floor
8 Los Angeles, CA 90071
Telephone: 213-622-4750
9 Facsimile: 213-622-2690
10 Email: jmurray@crowell.com
jstokes@crowell.com

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

In re TFT-LCD (FLAT PANEL) ANTITRUST LITIGATION

Master Docket No. 07-m-1827 SI

19 || This Document Relates to:

20 | *AT&T Mobility LLC v. AU Optronics Corp., et al., No. 09-cv-4997-SI*

**STIPULATION AND [PROPOSED]
ORDER FOR VOLUNTARY
DISMISSAL OF PLAINTIFFS'
CLAIMS AGAINST TATUNG
COMPANY OF AMERICA, INC.
WITHOUT PREJUDICE**

23 | Target Corp. v. AU Optronics Corp., et al., No.
10-cv-4945-SJ

Best Buy Co., Inc., et al. v. AU Optronics Corp., et al. Individual Case No. 3:10-cv-04572-SI

26 | Costco Wholesale Corporation v. AU Optronics Corp. et al. No. 11-cv-00058-SI

1 Defendant Tatung Company of America, Inc. ("Tatung America") and Plaintiffs Motorola
 2 Mobility, Inc.; AT&T Mobility, LLC; AT&T Corp.; AT&T Services, Inc.; BellSouth
 3 Telecommunications, Inc.; Pacific Bell Telephone Co.; AT&T Operations, Inc.; AT&T
 4 DataComm, Inc.; Southwestern Bell Telephone Co.; Target Corp.; Sears, Roebuck and Co.;
 5 Kmart Corp.; Old Comp Inc.; Good Guys, Inc.; RadioShack Corp; Newegg Inc.; Costco
 6 Wholesale Corporation; Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise
 7 Services, Inc.; Best Buy Stores L.P.; BestBuy.com, LLC.; and Magnolia Hi-Fi, Inc. ("Plaintiffs")
 8 stipulate as follows:

9 WHEREAS in their operative complaints, Plaintiffs asserted claims under the Sherman
 10 Antitrust Act, 15 U.S.C. § 1, as well as other state antitrust and unfair competition laws;

11 WHEREAS Plaintiffs are no longer pursuing these claims against Tatung America;
 12 THEREFORE, Tatung America, by its counsel, and Plaintiffs, by the undersigned
 13 counsel, stipulate and agree as follows:

14 1. Plaintiffs' claims against Tatung America are hereby dismissed without prejudice.
 15 2. Both Plaintiffs and Tatung America are to bear their own costs and fees.
 16 3. Tatung America agrees not to seek any fees or costs nor to pursue any sanctions
 17 against Plaintiffs and their counsel.

18 4. This stipulation does not affect the rights or claims of Plaintiffs against any other
 19 defendant or alleged co-conspirator in the above-captioned cases.

20 ///

21 ///

22 ///

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

5. The summary judgment motion filed by Tatung America against Plaintiffs, noticed for hearing on June 22, 2012, is hereby taken off calendar as moot.

IT IS SO STIPULATED.

Respectfully submitted,

Dated: May 24, 2012

/s/ Joshua C. Stokes

Jason C. Murray (CA Bar No. 169806)
Joshua C. Stokes (CA Bar No. 220214)
CROWELL & MORING LLP
515 South Flower St., 40th Floor
Los Angeles, CA 90071
Telephone: 213-622-4750
Facsimile: 213-622-2690
Email: jmurray@crowell.com
lstokes@crowell.com
nwood@crowell.com

Jeffrey H. Howard (pro hac vice)
Jerome A. Murphy (pro hac vice)
CROWELL & MORING LLP
1001 Pennsylvania Avenue, N.W.
Washington, D.C. 20004
Telephone: 202-624-2500
Facsimile: 202-628-5116
Email: jhoward@crowell.com
jmurphy@crowell.com

Kenneth L. Adams (pro hac vice)
R. Bruce Holcomb (pro hac vice)
Christopher T. Leonardo (pro hac vice)
ADAMS HOLCOMB LLP
1875 Eye Street NW
Washington, DC 20006
Telephone: 202-580-8822
Facsimile: 202-580-8821
Email: adams@adamsholcomb.com
holcomb@adamsholcomb.com
leonardo@adamsholcomb.com

Counsel for Plaintiffs Motorola Mobility, Inc.; AT&T Mobility, LLC; AT&T Corp.; AT&T Services, Inc.; BellSouth Telecommunications, Inc.; Pacific Bell Telephone Company; AT&T Operations, Inc.; AT&T DataComm, Inc.; Southwestern Bell Telephone Company; Target Corporation; Sears, Roebuck and Co.; Kmart Corporation; Old Comp Inc.; Good Guys, Inc.; RadioShack Corporation; and Newegg Inc.

/s/ David J. Burman

David J. Burman (admitted *pro hac vice*)
Cori G. Moore (admitted *pro hac vice*)
Noah G. Purcell (admitted *pro hac vice*)
Eric J. Weiss (admitted *pro hac vice*)
Nicholas H. Hesterberg (admitted *pro hac vice*)
PERKINS COIE LLP
1201 Third Avenue, Suite 4900
Seattle, WA 98101-3099
Telephone: 206.359.8000
Facsimile: 206.359.9000

Euphemia N. Thomopoulos, Cal. Bar No. 262107
EThomopoulos@perkinscoie.com
PERKINS COIE LLP
Four Embarcadero Center, Suite 2400
San Francisco, CA 94111-4131
Telephone: 415.344.7000
Facsimile: 415.344.7050

*Attorneys for Plaintiff
Costco Wholesale Corporation*

By: /s/ Roman M. Silberfeld
Roman M. Silberfeld

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
Roman M. Silberfeld, Bar No. 62783
RMSilberfeld@rkmc.com
David Martinez, Bar No. 193183
DMartinez@rkmc.com
2049 Century Park East, Suite 3400
Los Angeles, CA 90067-3208
Telephone: 310-552-0130
Facsimile: 310-229-5800

Attorneys for Plaintiffs, BEST BUY CO., INC.;
BEST BUY PURCHASING LLC; BEST BUY
ENTERPRISE SERVICES, INC.; BEST BUY
STORES, L.P.; BESTBUY.COM, LLC.;
MAGNOLIA HI-FI, INC.

/s/ Joel S. Sanders

GIBSON, DUNN & CRUTCHER LLP
JOEL S. SANDERS, SBN 107234,
jsanders@gibsondunn.com
RACHEL S. BRASS, SBN 219301,
rbrass@gibsondunn.com
AUSTIN V. SCHWING, SBN 211696,
aschwing@gibsondunn.com
JOEL WILLARD, SBN 247899,
jwillard@gibsondunn.com
555 Mission Street, Suite 3000
San Francisco, CA 94105-2933
Telephone: 415.393.8200
Facsimile: 415.393.8306

Attorneys for Defendant
TATUNG COMPANY OF AMERICA, INC.

/s/ William S. Farmer

WILLIAM S. FARMER (SBN 46694)
JACOB P. ALPREN (SBN 235713)
ANDREW H. PONTIOUS (SBN 157174)
COLLETTE ERICKSON FARMER & O'NEILL LLP
235 Pine Street, Suite 1300
San Francisco, CA 94104
Telephone (415) 788-4646
Facsimile (415) 788-6929

Attorneys for Defendant
TATUNG COMPANY OF AMERICA, INC.
In the Motorola and AT&T cases only

Pursuant to General Order 45, Part X-B, the filer attests that concurrence in the filing of this document has been obtained from the other signatories.

[PROPOSED] ORDER

The Court, having considered the stipulation of the parties, and good cause appearing, orders as follows:

1. The actions filed by Motorola Mobility, Inc.; AT&T Mobility, LLC; AT&T Corp.; AT&T Services, Inc.; BellSouth Telecommunications, Inc.; Pacific Bell Telephone Co.; AT&T Operations, Inc.; AT&T DataComm, Inc.; Southwestern Bell Telephone Co.; Target Corp.; Sears, Roebuck and Co.; Kmart Corp.; Old Comp Inc.; Good Guys, Inc.; RadioShack Corp; Newegg Inc.; Costco Wholesale Corporation; Best Buy Co., Inc.; Best Buy Purchasing LLC; Best Buy Enterprise Services, Inc.; Best Buy Stores L.P.; BestBuy.com, LLC.; and Magnolia Hi-Fi, Inc. (“Plaintiffs”) are dismissed without prejudice as against Defendant Tatung Company of America, Inc. pursuant to Federal Rule of Civil Procedure 41(a)(2).

2. Each of the parties shall bear its own costs and attorneys’ fees.

3. Tatung America shall not seek any fees or costs nor to pursue any sanctions against Plaintiffs and their counsel.

4. This order does not affect the rights or claims of Plaintiffs against any other defendant or alleged co-conspirator in the above-captioned cases.

5. The summary judgment motion filed by Tatung America against Plaintiffs, noticed for hearing on June 22, 2012, is hereby taken off calendar as moot.

IT IS SO ORDERED.

Dated: 5/25, 2012

Hon. Susan Y. Illston, United States District Judge

DCACTIVE-18458567.1